

EXPRESS MAIL NO.

PATENT COOPERATION TREATY

Int'l Application No. : PCT/EP98/05360
Int'l Filing Date : 24 August 1998
U.S. Application No. : 09/485,879
Inventors : GIESING, Michael, et al.
Title : METHOD FOR CHARACTERIZING DISSEMINATED AND
MICROMETASTASIZED CANCER CELLS
Docket No. : 790076.401
Date : 22 June 2000

Box PCT
Assistant Commissioner for Patents
Washington, DC 20231-0001

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Assistant Commissioner for Patents:

In response to the "Notification of Missing Requirements" dated 22 May 2000, please find enclosed a Declaration and Power of Attorney and a copy of Form PCT/DO/EO/905 for filing in the above-referenced matter. The surcharge for the late filing of the Declaration was paid at the time of original transmittal on 16 February 2000.

The Assistant Commissioner is authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 19-1090.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



Eric J. Gash

Registration No. 46,274

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031
F:\WFORGN\US PCT resp missing requirements.doc



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/485879	GIESING	M 790076.401
SEED INTELLECTUAL PROPERTY LAW GROUP 6300 COLUMBIA CENTER 701 5TH AVENUE SEATTLE, WA 98104-7092		
INTERNATIONAL APPLICATION NO. PCT/EP98/05360		
F.A. FILING DATE 24 AUG 98		PRIORITY DATE 22 AUG 97
DATE MAILED: MAY 22 2000		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
 - ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
 - ☒ Translation of the international application into English.
 - ☐ Oath or Declaration of inventor(s) for DO/EO/US.
 - ☐ Copy of Article 19 amendments.
 - ☐ Translation of Article 19 amendments into English.
 - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☒ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Preliminary amendment(s) filed _____ and _____.
 - ☐ Information Disclosure Statement(s) filed _____ and _____.
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification filed _____.
 - ☐ Verified Statement Claiming Small Entity Status.
 - ☒ Priority Document.
 - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
 - ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). **** SURCHARGE WAS PAID AT THE TIME OF FILING ****
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:
☐ PCT/DO/EO/917
☐ PTO-875
FORM PCT/DO/EO/905 (December 1997)

☐ Notice of Defective Translation

Kaya Ballimore
Telephone: 703-305-3695

1813